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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,816	07/17/2001	Guy Weinberg	69-06	4693
23713	7590	10/16/2006	EXAMINER	
GREENLEE WINNER AND SULLIVAN P C			KISHORE, GOLLAMUDI S	
4875 PEARL EAST CIRCLE			ART UNIT	PAPER NUMBER
SUITE 200				
BOULDER, CO 80301			1615	

DATE MAILED: 10/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
091622,816			

EXAMINER

ART UNIT PAPER

20060717

DATE MAILED:

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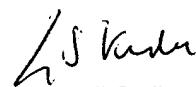
Commissioner for Patents

1. The reply filed on 5-15-2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): (see below). See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

2. Newly submitted claims 3-6, 8, 12, 16, 18, 21, 25, 27-29 and 37 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The originally presented claims are drawn to removing a toxin from circulation whereas the newly presented claims are drawn to the treatment of a specific condition, that is, cardiotoxicity caused by a lipophilic or amphiphilic anesthetic; the original claims are generic and not claiming any specific toxic effect whereas the newly presented claims are drawn to a specific disease state and thus, the newly presented claims are drawn to a new invention. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, said claims are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03. Failure to present claims drawn to the original invention which were examined on their merits before would result in abandonment of the application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gollamudi S Kishore, Ph.D whose telephone number is (571) 272-0598. The examiner can normally be reached on 6:30 AM- 4 PM, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward can be reached on (571) 272-8373. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 800-786-9199 (IN USA or CANADA) or 571-272-1000.


Gollamudi S Kishore, Ph.D
Primary Examiner
Art Unit: 1615